

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ONEBEACON AMERICA INSURANCE
COMPANY,
Plaintiff,

CIVIL ACTION
NO: 04-11753-JLT

vs.

BLUE WATER ENTERPRISES, INC.
Defendant.

AMENDED ORDER

It is hereby Ordered that:

1. By or before November 18, 2005, the Umpire shall (a) release and submit his final specifications, including any and all photographs, to the agreed upon shipyards or repair facilities, (b) provide said shipyards or repair facilities with instructions for the submission of repair bids, and; (c) arrange for said shipyards to inspect defendant's vessel.
2. The agreed upon shipyard or repair facilities shall inspect defendant's vessel by or before January 13, 2006 and the defendant shall make its vessel available for said inspections upon reasonable notice. The scope of the inspections shall be limited to the specifications and instructions submitted by the Umpire. It is not necessary for the Umpire to be present at the inspections. The parties' surveyors have the option of attending the inspections.
3. If the representatives from the agreed upon shipyards or repair facilities have any questions during the inspections, then they should be directed to the Umpire for clarification and resolution.
4. The shipyards or repair facilities shall provide the Umpire with their repair bids by or before February 17, 2006.

5. The Umpire shall file the repair bids with the Court by or before February 24, 2006.
6. The parties shall appear for a Status Conference on March __, 2006 at _____.

So Ordered,

Honorable Joseph L. Tauro
Dated: November __, 2005

cc: James Simonitsch
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